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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/562,872

12/29/2005

Tim Froidcoeur

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08/14/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

HUSSAIN, FARRUKH

ART UNIT

PAPER NUMBER

2444

MAIL DATE

DELIVERY MODE

08/14/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/562,872	Applicant(s) FROIDCOEUR ET AL.	
	Examiner FARRUKH HUSSAIN	Art Unit 2444	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 August 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: None.
 Claim(s) objected to: None.
 Claim(s) rejected: 1-18 and 20-27.
 Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
 13. ☒ Other: See Continuation Sheet.

/Farrukh Hussain/
 Examiner, Art Unit 2444

/Philip C Lee/
 Primary Examiner, Art Unit 2448

Continuation of 13. Other: Point A. Applicants argue that the Claim 9 was amended in the applicants' prior response to specifically state that the control software is stored on a computer-readable medium .

As to Point A, the examiner states that the specification does not define computer-readable medium. Therefore, the Specification Objection and the 35 U.S.C. 101 Claim Rejection will be maintained. The examiner would also like to remind applicants that the claim 19 is missing as stated in the last Office Action.

Point B. Applicants argue that the combination of Weast and Salmonsens fails to teach or suggest a renderer-control point combination that receives a URI representative of a Content Directory Service description, as specifically claimed in independent claim 1

As to Point B, the examiner respectfully disagrees. Weast does teach or suggest use the organizational context of a content item as represented in a UPnP Content Directory Service (see column 3, lines 35-53, elements 102, Device {Control Point} and 106 Media Renderer are coupled to each other and see figure 4a, Address: Z:\MyMedia\Music) and Salmonsens does teach or suggest enabling a MediaRenderer-Control Point combination to receive a URI representative of a Content Directory Service description (see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources and see paragraph 0008, lines 1-11 a communication media device (Control point) comprises an internal media content source, an internal interface coupled to the internal media content source and capable of carrying media content in a native format, and a media renderer)..

Point C. The applicants argue that the Office action fails to identify where Salmonsens teaches a URI that is representative of the directory, as claimed by the applicants.

As to Point C, the examiner respectfully disagrees. Salmonsens teaches a URI that is representative of the directory (see paragraph 0123, lines 1-15 The media directory 518 stores Uniform Resource Identifiers (URIs) that identify content resources).

Point D. The applicants argue that the combination of Weast and Salmonsens does not teach or suggest processing a URI representation of the content directory description to enable a renderer to exploit the organization context of a content item, as specifically claimed in claim 9.

As to Point D, the examiner respectfully disagrees. The combination of Weast and Salmonsens does teach or suggest processing a URI representation of the content directory description to enable a renderer to exploit the organization context of a content item. Salmonsens does teach or suggest processing a URI representation of the content directory description to enable a renderer to exploit the organization context of a content item (see paragraph 0059, lines 1-9 The processor 314 executes various processes, methods, or programs that control operations of the emulator interface controller 310 to transfer information between a network external to the device 300 and the content source 302 or communication bus 338 and to perform a wide variety of other functions).

Point E. The applicants argue that the combination of Weast and Salmonsens does not teach or suggest receiving a URI corresponding to a context of a content item from an external controller, and does not teach or suggest determining a subsequent content item for rendering based on this received context, as specifically claimed in claim 22.

As to Point E, the examiner respectfully disagrees. The combination of Weast and Salmonsens does teach or suggest receiving a URI corresponding to a context of a content item from an external controller, and does not teach or suggest determining a subsequent content item for rendering based on this received context. Salmonsens does teach or suggest receiving a URI corresponding to a context of a content item from an external controller (see paragraph 0007, lines 1-7 The emulator can then convert content received from an external source in an unsupported format to the supported format). Weast teaches or suggests determining a subsequent content item for rendering based on this received context (see column 10, lines 34-46, determining the media type of the media content 132 to be rendered. Further, the operation includes facilitating a user in selection one of a number of UPnP media renderers 106 equipped to support the media type, if more than one UPnP media renderer 106 is so equipped.).